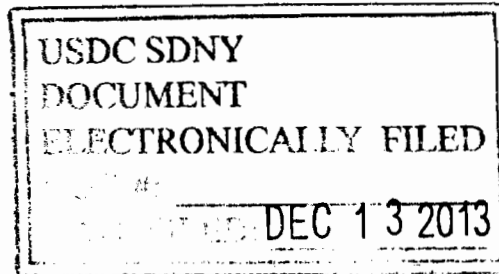


Filan LLC



James K. Filan
Attorney at Law
jfilan@jamesfilan.com

December 12, 2013

VIA FACSIMILE (212) 805-0426

The Honorable Laura Taylor Swain
United States District Judge
Southern District of New York
500 Pearl Street
New York, New York 10007

Re: United States v. Eric S. Lipkin
S3 10 CR 228 (LTS)

MEMO ENDORSED

Dear Judge Swain:

I write to respectfully request a bail modification that would permit Mr. Lipkin to travel with his wife and children to attend Mr. Lipkin's mother- and father-in-law, Sue and Phil Kienasts', 50th wedding anniversary in Utah from January 8, 2014 until January 13, 2014.

By way of background, Mr. Lipkin pleaded guilty on June 6, 2011 and was released on a \$2,500,000 bond, co-signed by seven financially responsible persons, including his mother- and father-in-law. The Kienasts pledged their residence (\$700,000 in equity) and \$100,000 in cash in support of Mr. Lipkin's bond. As part of the conditions of Mr. Lipkin's release, his travel is restricted to the District of New Jersey, the District of Connecticut, and the Southern and Eastern Districts of New York. Also, all travel documents of Mr. Lipkin, his wife and children were surrendered to Pretrial Services. The surrender of Mrs. Lipkin's passport and those of their children was without prejudice to application for return of those travel documents for particular pre-authorized travel. Mr. Lipkin is being supervised by the Pretrial Services Office in the District of New Jersey and has been in compliance with all of the terms of his release.

Mr. Lipkin, if the request is approved, would travel from New Jersey to Park City, Utah, on January 8, 2014, and would return to New Jersey on January 13, 2014. The trip is being paid for by Mr. Lipkin's wife. No Madoff-related funds are being used to pay for the travel.

I have communicated with Assistant United States Attorney Matthew Schwartz, who has indicated that the Government will defer to Pretrial Service's view on the request. I have also communicated with representatives of the Southern District of New York Pretrial Services Office and they have indicated that they do not object to this travel request as Mr. Lipkin has been compliant with his release conditions.

315 Post Road West, Westport, Connecticut 06880 Tel: (203) 557-9159 Fax: (203) 341-8560
www.jamesfilan.com

Accordingly, Mr. Lipkin, through counsel, respectfully requests that his bail be modified as set forth above and that the necessary travel documents be released for the Lipkin family for this trip.

Respectfully,

The request is granted. The specific itinerary and contact information must be provided to Pretrial Services before the travel documents are released.

James K. Filan
James K. Filan

NEW YORK, NY

December 13, 2013

[Signature]
LAURA TAYLOR SWAIN
UNITED STATES DISTRICT JUDGE

cc: AUSA Matthew L. Schwartz (via electronic mail)
Pretrial Services Officer Natasha Ramesar (via electronic mail)
Pretrial Services Officer Daniel Milne (via electronic mail)